

Supporting Statement for
EPA Information Collection Request # 1773.07
(OMB Control # 2050-0171)

Reporting and Recordkeeping Requirements for
NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste
Combustors (Final Amendments Rule); Final Rule

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1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title and Number of the Information Collection

This Information Collection Request (ICR) is entitled “Reporting and Recordkeeping Requirements for NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors (Final Amendments Rule); Final Rule,” EPA ICR #1773.07 (OMB Control # 2050-0171).

1(b) Characterization of the Information Collection

This ICR describes the incremental recordkeeping and reporting burden to an existing rule that EPA is amending. We promulgated new emission standards and controls for hazardous waste combustors – incinerators, cement kilns, and lightweight aggregate kilns – on September 30, 1999 (64 *FR* 52828). On July 3, 2001, we published a direct final rule (66 *FR* 35087) and a notice of proposed rulemaking (66 *FR* 35126) that promulgated and proposed a number of amendments to the September 30, 1999 final rule. We published thirteen of those amendments as direct final rules because we believed the amendments to be non-controversial. However, we further stated that if we received adverse comment on one or more of the amendments, we would publish in the *Federal Register* a timely withdrawal of the amendments that received adverse comment, and deal with those amendments as proposed rules. We subsequently received adverse comment on four of the thirteen amendments, and we withdrew the four amendments on October 15, 2001 (66 *FR* 52361). The scope of this ICR includes the four amendments that received adverse comment and a subset of the twenty amendments also proposed on July 3, 2001. The initial paperwork burden for the September 30, 1999 final rule was approved in EPA ICR Request #1773.02 “New and Amended Reporting Requirements for National Emission Standards for Hazardous Air Pollutant from Hazardous Waste Combustors.” [Note: EPA also promulgated recently a final rule that had an EPA ICR Request #1773.06 assigned to it. The burden estimates in this ICR are incremental from totals in #1773.06.]

This ICR estimates the additional (incremental) recordkeeping and reporting burdens as a result of the Amendments:

- The recordkeeping and reporting requirements result in an estimated increased burden to the regulated community of 1,294 hours per year at a total labor cost of \$75,642 per year. This recordkeeping and reporting burden would be incremental to the burden approved under EPA ICR Request #1773.02 (and later modified by EPA ICR Requests #1773.03, #1773.05, and #1773.06).
- In addition, it would take EPA an additional 1,082 hours per year to review and respond to the required submissions at an additional cost of \$29,383 per year.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need and Authority for the Collection

The September 30, 1999 final rule established National Emissions Standards for Hazardous Air Pollutants (NESHAP) under authority of section 112 of the Clean Air Act for three source categories: Hazardous waste burning incinerators, hazardous waste burning cement kilns, and hazardous waste burning lightweight aggregate kilns. The main purpose of the Clean Air Act is to protect and enhance the quality of our Nation’s air resources, and to promote the public health and welfare and the productive capacity of the population. See Clean Air Act section 101(b)(1). To this end, sections 112(a) and (d) of the Clean Air Act direct EPA to set standards for stationary sources emitting (or

having the potential to emit) ten tons or greater of any one hazardous air pollutant or 25 tons or greater of total hazardous air pollutants annually. The records and reports required by this information collection are used to show or to request alternative means to comply with requirements of the rule.

2(b) Use and Users of the Data

The data collected for hazardous waste combustor system operations and testing are used by facility owners and operators and EPA or the implementing agency. Data maintained in records are used to monitor results of testing, inspections, and the operation of air pollution control systems, as well as to demonstrate compliance with the rule's requirements. Notifications and submitted monitoring data are used by EPA or the implementing agency to evaluate construction and reconstruction plans, test and operating plans, test results, facility operation, and whether facilities qualify for certain exemptions and alternative monitoring and testing methods. Some of the information also serves an opportunity for public participation.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Nonduplication

EPA has determined that no other Federal agency collection satisfies the statutory requirements of section 112 of the Clean Air Act, as amended. None of this information is duplicative of other information collected by other EPA offices or other federal agencies.

3(b) Public Notice Required Prior to ICR Submission to OMB

EPA solicited public comment on this ICR through an announcement in the *Federal Register* on July 3, 2001. See 66 *FR* 35087 and 66 *FR* 35126. The public comment period ended October 16, 2001. We did not receive any comments on the proposed ICR.

3(c) Consultations

EPA has made efforts to consult with the respondent stakeholders, general public, State and industry officials, and the appropriate Federal agencies in the development of the burden estimates for this (and previous related) ICRs. We worked and consulted directly with the impacted respondent stakeholders and trade group associations when developing these revisions; and that the specific requirements of the amendments consider comments from and meetings with the impacted respondent stakeholders.

3(d) Effects of Less Frequent Collection

EPA has carefully considered the burden imposed upon the regulated community by hazardous waste combustion regulations and the potential environmental consequences of reducing the information collection frequencies. Consequently, we are confident that those activities required of respondents are necessary, and to the extent possible, minimize the burden imposed. We believe that, if the minimum requirements specified under the regulations are not met, we will be unable to fulfill its Congressional mandate under the Resource Conservation and Recovery Act and Section 112 of the Clean Air Act. In addition, efforts were made to integrate the monitoring, compliance testing, and recordkeeping requirements of the CAA and RCRA so that facilities will be able to avoid duplicity of two potentially different regulatory compliance schemes.

3(e) General Guidelines

This ICR adheres to the guidelines stated in the Paperwork Reduction Act of 1995, OMB's implementing regulations, and OMB's Information Collection Review Handbook (EPA, April 1998).

It is necessary for facilities to retain records for five years in order for EPA to ensure compliance with the regulations. The recordkeeping burden for such a requirement is not significant.

3(f) Confidentiality

Section 3007(b) of RCRA and 40 CFR Part 2, Subpart B, which defines EPA's general policy on the public disclosure of information, contain provisions for confidentiality. Some businesses consider some of their hazardous waste information to be Confidential Business Information (CBI). A business may, if it desires, protect its Hazardous Waste Report information from public disclosure by asserting a claim of confidentiality covering all or part of the information it furnishes to EPA. When such a claim is asserted, we must and will treat the information in accordance with the confidentiality regulations. We also ensure that the information collection procedures comply with the Privacy Act of 1974 and the OMB Circular 108.

3(g) Sensitive Questions

No questions of a sensitive nature are included in any of the information collection requirements.

4. RESPONDENTS AND THE INFORMATION COLLECTED

4(a) Respondents and NAICS Codes

The following lists North American Industry Classification System (NAICS) codes associated with the facilities most likely to be affected by this ICR:

<u>NAICS</u>	<u>Industry Type</u>
2123	Nonmetallic Mineral Mining
2211	Electric Power Generation
22132	Sewage Treatment Facilities
3241	Petroleum and Coal Products
3271	Clay Product and Refractory
3231	Printing and Related Support
3251	Basic Chemical Manufacturing
3252	Resin, Synthetic Rubber, and Plastic
3253	Pesticide and Fertilizer
3254	Pharmaceutical and Medicine
3255	Paint, Coating, and Adhesive
3259	Other Chemical Products
3271	Concrete Block and Brick
3273	Cement and Concrete Product
3274	Lime and Gypsum Product
3279	Other Nonmetallic Mineral
3327	Machine Shops; Turned Product
3328	Coating, Engraving, Heat
3329	Other Fabricated Metal Product

3332	Industrial Machinery
3335	Metalworking Machinery
3339	Other General Purpose Equipment Manufacturing
3341	Computer and Peripheral
3342	Communications Equipment
3343	Audio and Video Equipment
3344	Semiconductor
3361	Motor Vehicle Manufacturing
3362	Motor Vehicle Body and Trailer
3363	Motor Vehicle Parts
4227	Petroleum Wholesalers
45431	Fuel Dealers
5622	Waste Treatment and Disposal
5629	Remediation and Other Waste

4(b) Information Collected

1. Use of Previous DRE Test Results to Demonstrate Compliance with the MACT DRE Standard

(i) Data items, including recordkeeping requirements

Two revisions are being made to the “data-in-lieu” provisions -- under which previous testing results are used in place of the requirement for further source testing (§63.1206(6)-(7)). The first revision eliminates in most cases the age restriction on usable destruction and removal efficiency (DRE) test data. The second revision eliminates the requirement that specifies that in-lieu data must have been collected for the purpose of RCRA permit issuance or re-issuance. Instead, acceptable data must have been obtained with the same level of oversight and quality as those data obtained during the RCRA permitting process.

(ii) Respondent activity

If a source chooses to submit previous DRE data from testing for a purpose other than RCRA permit issuance or reissuance in lieu of conducting a new DRE test, the source must document that the quality of the previous data are suitable for a compliance determination.

2. Hydrocarbon Monitoring Requirements for Short Cement Kilns Burning Hazardous Waste at Locations Other Than the “Hot” End of the Kiln

(i) Data items, including recordkeeping requirements

EPA is finalizing an alternative hydrocarbon standard, and in limited situations, an alternative carbon monoxide standard for cement kilns that continuously monitor hydrocarbon both in the by-pass duct and at a preheater tower combustion gas monitoring location (§63.1206(13)(b)(i)). Also, a new definition for a cement kiln preheater tower combustion gas monitoring location is being finalized (§63.1201(a)).

(ii) Respondent activity

If a source chooses the alternative monitoring scheme for hydrocarbons, their request must be made as an additional item in the comprehensive performance test plan.

3. Deleting the Baghouse Inspection Requirements

(i) Data items, including recordkeeping requirements

EPA is deleting all of the prescribed baghouse inspection requirements and instead relying on the general operation and maintenance plan requirements under §63.1206(c)(7)(i), in combination with the bag leak detector, to ensure proper operation and maintenance of the baghouse. Thus, the operating and maintenance plan will identify site-specific inspection intervals for baghouse operations. This amendment is applicable only to incinerators and lightweight aggregate kilns.

(ii) Respondent activity

Recordkeeping and reporting of baghouse monitoring and inspection efforts will be reduced because each source will identify site-specific monitoring and inspection procedures in the operation and maintenance plan, rather than complying with generic, prescriptive requirements.

4. Requirements for Feedstream Analysis of Organic HAPs

(i) Data items, including recordkeeping requirements

EPA is revising the rule to: (1) allow less comprehensive organics analysis of waste streams if warranted on a site-specific basis; and (2) require organics analysis of hazardous waste feed streams only.

(ii) Respondent activity

On a site-specific basis, facilities will identify (and provide rationale for selection) which feedstream will be subject to characterization of organic constituents. This site-specific plan would be included in both the feedstream analysis plan and performance test plan.

The revision will not increase the actual recordkeeping and reporting activity unless a source chooses to request less comprehensive analysis of waste streams. If so, the source must document in the test plan and feedstream analysis plan the rationale for reduced analysis.

5. Revisions to Combustion System Leak Provisions

(i) Data items, including recordkeeping requirements

Additions and clarifications to the requirement for instantaneous monitoring of combustion zone pressure for controlling combustion zone fugitive emissions are made to ensure intended flexibility, including: (1) instantaneous pressure monitors must detect and record pressure at a frequency adequate to detect combustion system leaks, determined on a site-specific basis; (2) the comprehensive performance test workplan and Notification of Compliance must specify the procedures to control combustion leaks; and (3) alternative techniques other than combustor pressure monitoring may be used to prevent fugitive emissions when reviewed and approved by the Administrator.

(ii) Respondent activity

Sources must include the most reasonable frequency and procedure for recording and monitoring of combustion system fugitive emissions in the performance test workplan and Notification of Compliance.

6. Revisions to Operator Training and Certification Requirements

(i) Data items, including recordkeeping requirements

EPA is revising the certification requirements:

- (1) Allow sources to use site-specific, source developed and implemented training and certification programs in lieu of the ASME program or the State program. For sources choosing to use a site-specific program, we prescribe specific training topics.
- (2) For sources choosing to use the ASME program, we: (1) require only provisional certification by the compliance date for existing facilities; (2) new operators require provisional certification at the date they assume duties, provided that they achieve full certification within one year.
- (3) Deleting the requirement that shift supervisors be trained and certified under the same program designed for control room operators. We require that shift supervisors, like other employees, only be trained and certified as capable to perform their specific duties.
- (4) Control room operators are required to complete an annual review or refresher course covering prescribed topics to maintain certification.
- (5) A certified control room operator must be on duty at the source at all times the source is in operation.

(ii) Respondent activity

Most sources are anticipated to choose to use a site-specific, source-developed and implemented training and certification program. Under this approach, sources must develop, submit for approval, and implement the program and keep records of training and certification activities. If a source chooses to use the ASME program, recordkeeping and reporting activity would not increase (compared to the requirements of the September 30, 1999 final rule).

7. Time Extensions For Performance Testing if the Test Plan Has Not Been Approved

(i) Data items, including recordkeeping requirements

Sources will be allowed to petition the Administrator, under the authority of §63.7(h), to obtain a “waiver” of any performance test, including the initial or periodic performance test, comprehensive test, or confirmatory test, if the performance test plan is not approved. The source can also request a second 6 month waiver if the plan is not approved following the initial 6 month period.

Sources must submit the waiver petition or request to renew the petition to the Administrator. A separate petition must be submitted for each source at least 60 days prior to the scheduled date of the performance test. It must include documentation to enable the Administrator to determine that the source is meeting the relevant standard(s) on a continuous basis as required by §63.7(h)(2). Extension requests for the initial comprehensive performance test must include a Documentation of Compliance to assist the Administrator in making this determination. The petition also must include information justifying the request for a waiver, such as the technical or economic impracticality of the affected source performing the required test, as required by §63.7(h)(3)(iii). Finally, the source must notify the

public of the petition to waive a performance test.

(ii) Respondent activity

Sources may choose to request a time extension to conduct performance testing if the test plan has not been approved. If so, they must prepare and submit a request for a testing extension waiver and notify the public about the request.

8. Flexibility in Operations During Confirmatory Performance Testing for Dioxin/Furans

(i) Data items, including recordkeeping requirements

EPA is making revisions to allow sources to petition to operate under a wider operating range based on information justifying that operating within the required range may be problematic. Also, Administrator can accept test results based on operations outside of the range specified in the confirmatory test plan.

(ii) Respondent activity

A source may choose to request in the test plan to operate under a wider range during their test if they justify that operating within the required range may be problematic.

9. Waiving Operating Parameter Limits during Performance Testing and Pretesting

EPA is deleting test plan approval as a requirement prior to waiving operating parameter limits during performance testing or pretesting.

(i) Data items, including recordkeeping requirements

None.

(ii) Respondent activity

None.

10. Calibration Requirements for Temperature Measurement Devices

(i) Data items, including recordkeeping requirements

EPA is revising the temperature measurement device calibration procedure and frequency to be included as part of the evaluation test plan that is required by §63.8(e)(3)(i) and applies to all continuous monitors; and that the frequency be consistent with manufacturer recommendations but not to exceed at least once per year.

(ii) Respondent activity

The continuous monitoring system evaluation plan and test plan would continue to include calibration procedure and frequency for all measurement and monitoring devices. The recordkeeping activities for calibration of temperature measurement devices are reduced with the less frequent calibration.

11. Revisions to Particulate Matter Operating Requirements for Activated Carbon Injection and Carbon Bed Systems

(i) Data items, including recordkeeping requirements

In lieu of a site-specific particulate matter limit, §63.1209(k)(5) is being revised for units using activated carbon injection to require operating limits on particulate matter control devices consistent with the approach used to control particulate matter for semivolatile metals and low volatile metals control. Also, for sources equipped with carbon beds EPA is deleting the requirement to establish particulate matter operating parameters to ensure compliance with the dioxin/furan and mercury emission standards.

These revisions do not change recordkeeping and reporting activities because: (1) sources equipped with carbon injection systems must still establish limits on operating parameters to control particulate matter based on the performance test; and (2) there are no operating parameters for particulate matter control for carbon bed systems and this revision serves as a clarification.

(ii) Respondent activity

The rationale for the selection of all operating parameter limits must be contained in the performance test workplan. All operating parameters tied to automatic waste feed cutoffs must be monitoring and recorded as required in the September 30, 1999 final rule.

12. How to Comply Temporarily with Alternative, Otherwise Applicable MACT Standards

In lieu of the HWC MACT standards, EPA clarifies how sources may comply temporarily with otherwise applicable MACT standards after the hazardous waste residence time has expired. Three options for calculating rolling averages immediately after operating mode change are provided.

(i) Data items, including recordkeeping requirements

No new requirements.

(ii) Respondent activity

No new requirements.

13. Less Sensitive Bag Leak Detection System

(i) Data items, including recordkeeping requirements

Section 63.1206(c)(7)(ii) of the September 30, 1999 final rule prescribes baghouse operation and maintenance requirements for incinerators and lightweight aggregate kilns, including a requirement for the continuous operation of a bag leak detection system as a continuous monitor. This amendment allows a source to petition the Administrator to use a bag leak detector that has a detection limit greater than 1 mg/acm.

(ii) Respondent activity

If a source wants to use a less sensitive bag leak detector, they must submit a petition to the Agency using the alternative monitoring provisions under §63.1209(g)(1).

14. Technical Corrections

- (i) Data items, including recordkeeping requirements

Several technical corrections are made, including corrections of typographical and citation errors and corrections to 40 CFR part 63, Subpart EEE, and sections 266.100(d) and 270.42(j)(1).

- (ii) Respondent activity

There are no recordkeeping or reporting activities related to these minor technical corrections.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

This section discusses how EPA will collect the information, what activities EPA will perform with the collected information, and how EPA will manage the information it collects. This section also discusses how the information collection requirements affect small entities.

5(a) Agency Activities

Most of the items in this ICR are new or modified provisions allowing affected sources to request or petition to comply with alternative approaches that either reduce the burden or offer additional compliance flexibility compared to the September 30, 1999 final rule. In many cases, these requests are included in the comprehensive performance test plan, continuous monitoring system evaluation plan and test plan, or the operating and maintenance plan. All of these documents, including the requests, will be reviewed and approved as necessary by EPA. As a result, EPA time to review and approve these documents is slightly increased as a result of this rule. Section 6(c) below shows the estimates of increased EPA and implementing agency burden for the various amendments.

5(b) Collection Methodology and Management

Much of the ICR activity is comprised of reporting requirements that are typically submitted by mail directly to EPA for review. Some recordkeeping information, however, would also be kept in facility files. This requires the implementing authority to visit and collect from the facility, or request by mail, any information it wishes to review.

Agency management of collected information includes review of information, making determinations, and filing and storing information collected.

In collecting and analyzing information required for hazardous waste combustors, EPA uses electronic equipment, including telephone systems, personal computers, electronic mail, and database software, as necessary.

5(c) Small Entity Flexibility

Six out of 171 combustion facilities have been categorized as small entities. EPA conducted an incremental assessment of any cost savings or cost burdens that may result from the proposed amendments to the final rule on these small entities. Based on our analysis of available data, we conclude that there would not be a significant economic impact to any of the potentially impacted small business combustor companies resulting from this final rule. For details of the analysis, see Assessment

of Potential Costs, Benefits and Other Impacts, and Regulatory Flexibility Screening Analysis (RFSA) For NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors; Amendments to the NESHAP: Final Standards for Hazardous Air Pollutants for Hazardous Waste Combustors: Final Rule, September 30, 1999, dated January 2, 2002, in the docket to this rulemaking.

5(d) Collection Schedule

Most of the ICR requirements have clearly defined reporting schedules. For example, test plan and operating and maintenance plans are required to be submitted in a periodic, but well defined, manner prior to compliance testing and facility operations.

Although the means by which respondents submit the information is not specified, EPA anticipates information will be submitted to the Agency as paper copies and computer files if possible.

6. ESTIMATING THE BURDEN AND COST OF COLLECTION

6(a) Estimating Respondent Burden

EPA presents estimates for the respondent burden hours associated with all of the information collection requirements covered in this ICR in Exhibit 1. The exhibit lists all of the respondent activities associated with this final rule and presents burden and cost estimates for each. The burden estimates are broken down by labor category (legal, managerial, technical, and clerical) and totaled on a per activity basis. These burden estimates are then multiplied by the estimated number of respondents and the estimated number of activities per respondent to obtain an estimate of the overall burden to the regulated universe for each activity.

6(b) Estimating Respondent Cost

Respondent burden hours and costs associated with all requirements covered by this ICR are shown in Exhibit 1 and have been annualized over the three year period of this ICR. Cost estimate assumptions are discussed in the following four subsections.

(i) Estimating Labor Costs

The average hourly labor cost for respondents is estimated at \$93.97 for legal staff, \$71.49 for managerial staff, \$55.00 for technical staff, \$71.49 for consultants staff, and \$26.48 for clerical staff. These rates are based on the Bureau of Labor Statistics' employment cost statistics, and have been updated at a 3% inflation index to current year dollars. Using the total burden hours discussed in Section 6(a) and the wage rates outlined in this section, Exhibit 1 illustrates the labor costs associated with all of the information collection requirements covered in this ICR.

(ii) Estimating Operating and Maintenance Costs

To submit information, notices, or requests to the approving or permitting agency, EPA estimates that facilities will incur a one-time postage cost of \$10.00 per package via registered mail. EPA also estimates that facilities will incur annual operation and maintenance (O&M) costs associated with maintaining a copy of their information submissions. EPA assumes that most facilities will submit their information on paper and will need to make photocopies and maintain copies. EPA estimates that maintenance and photocopying expenses will be \$0.04 per page.

(iii) Capital / Start-Up Costs

There are no capital / start-up costs associated with this ICR.

(iv) Annualized Capital / Start-Up Costs

There are no capital / start-up costs associated with this ICR.

6(c) Estimating Agency and State Burden and Cost

EPA estimates annual Agency burden hours and costs associated with all requirements covered by this ICR in Exhibit 2. EPA believes that the Headquarters, Regional, and State offices will be involved in these activities. Burden is due to increased hours to review test workplans, petitions, and requests.

6(d) Estimating the Respondent Universe and Total Burden and Costs

The estimated burden and costs discussed in this section represent the average burden and cost incurred by a hazardous waste combustor facility. Actual burden for each facility may vary, depending on the number, capacity, and complexity of the combustion units at the facility.

(i) Universe Determination

It is estimated that 171 facilities with hazardous waste combustion units are impacted by the amendments. This includes 33 cement kilns at 18 sites, 10 lightweight aggregate kilns at 5 sites, 26 commercial incinerators at 20 sites, and 160 on-site incinerators at 128 sites.

(ii) Activities

0. Familiarize With Rule

EPA estimates that all 171 facilities with hazardous waste combustion units will read the final rule.

1. Use of Previous DRE Test Results to Demonstrate Compliance with the MACT DRE Standard

This amendment deletes the age requirement for previous in lieu data and will potentially reduce the need for new testing for compliance with the interim regulations. We note, however, that the recordkeeping and reporting burden associated with this amendment will not be reduced significantly (compared with the September 1999 final rule burden baseline) because the ICR for the September 1999 final rule assumed that previous destruction and removal efficiency (DRE) data will be allowable for demonstration of compliance with the DRE standard for most all facilities.

2. Hydrocarbon Monitoring Requirements for Short Cement Kilns Burning Hazardous Waste at Other Locations Than the “Hot” End of the Kiln

A one-time request to use the alternative hydrocarbons and carbon monoxide monitoring provisions must be included in the comprehensive performance test workplan. It is estimated that three cement kilns will choose to make this request. Each request is estimated to take 1.5 hours to prepare.

3. Deleting the Baghouse Inspection Requirements

The amendment requires sources to identify and comply with baghouse inspection and monitoring requirements on a site-specific basis rather than comply with the generic, comprehensive requirements. EPA estimates that this amendment may reduce slightly the recordkeeping and reporting activities. For example, a source may conclude that less frequent inspections, or alternative monitoring activities, are more appropriate, and less burdensome, for its facility. However, baghouse inspection and monitoring activities must be specified in the source's operation and maintenance plan irrespective of whether those activities are developed on a site-specific basis or the prescribed activities in the final rule. Thus, EPA anticipates little change in recordkeeping and reporting burden.

4. Requirements for Feedstream Analysis of Organic HAPs

EPA estimates that feedstream organic characterization requirements may be reduced for approximately 25% of the sources because the amendment allows sources to conduct less comprehensive analysis of organic compounds if the compounds used to demonstrate compliance with the destruction and removal efficiency continue to be representative of the most difficult to destroy organic compounds in the hazardous waste feedstream. EPA anticipates that this amendment will reduce the analytical burden and recordkeeping activities somewhat. This amendment may also result in a small increase in reporting requirements because the requests must be made in the comprehensive performance test plan and waste analysis plan. However, EPA expects the increases in the reporting requirements will be offset by corresponding reductions in subsequent testing and analysis requirements.

5. Revisions to Combustion System Leak Provisions

There are no additional recordkeeping or reporting burdens associated with the revisions to the procedures for controlling combustion system leaks as compared to the September 30, 1999 final rule. The requirement to specify the method a source plans to use to control combustion system leaks in the performance test workplan and Notification of Compliance remains the same.

6. Revisions to Operator Training and Certification Requirements

EPA estimates that 50% of the incinerator sources may request to develop a site-specific operator training and certification program. The primary additional burden beyond that currently required, which is to use the American Society of Mechanical Engineers (ASME) program, is the actual development of the site-specific program. EPA estimates that the site-specific program will likely be developed as a modified ASME program, and we estimate that it will take approximately 40 hours to create initially. In addition, recordkeeping burden is estimated to be 3 hours per source.

7. Time Extensions For Performance Testing if the Test Plan Has Not Been Approved

EPA estimates that 25% of all facilities will choose to submit a petition to the Administrator for extension of the testing date. Each petition will require an estimated 4 hours additional reporting burden.

8. Flexibility in Operations During Confirmatory Performance Testing for Dioxin/Furans

This amendment allows a source to operate under an alternative range if the source documents in the confirmatory performance test plan that it may be problematic to maintain the required range during the test. In a related rulemaking concurrent with this action, EPA is waiving confirmatory testing for all sources during the period that the interim regulations are in place. Therefore, there are no changes to the recordkeeping or reporting burdens associated with these revisions.

9. Waiving Operating Parameter Limits during Performance Testing and Pretesting

There are no incremental (from the September 1999 final rule) recordkeeping or reporting burdens associated with this amendment.

10. Calibration Requirements for Temperature Measurement Devices

EPA estimates that the frequency of calibration of temperature measurement devices for all sources may be reduced, and, therefore, may decrease slightly the recordkeeping activity.

11. Revisions to Particulate Matter Operating Requirements for Activated Carbon Injection and Carbon Bed Systems

EPA estimates that this amendment will not result in a change in recordkeeping and reporting burden. Specifically, deleting the requirement for sources using activated carbon injection systems to limit particulate matter emissions to levels achieved during the comprehensive performance test and instead requiring sources to establish operating limits on the particulate matter control device results in results in no change because these operating parameter limits are already required in the September 1999 final rule. With respect to deleting the requirement for sources equipped with carbon beds to establish particulate matter operating parameter limits, we estimate that this change will not result in a change in burden because there are no sources currently using particulate matter control devices downstream of a carbon bed.

12. How to Comply Temporarily with Alternative, Otherwise Applicable MACT Standards

There are no incremental (from the September 1999 final rule) recordkeeping or reporting burdens associated with this amendment.

13. Less Sensitive Bag Leak Detection Systems

EPA estimates that 75% of incinerators and 50% of lightweight aggregate kilns will petition for the use of bag leak detectors with sensitivities greater than 1 mg/acm. EPA also estimates that this request will require an additional 0.5 hours of effort per request and will be included in the comprehensive performance test plan.

14. Miscellaneous Technical Corrections

There are no recordkeeping or reporting burden associated with the miscellaneous technical corrections.

6(e) Bottom Line Burden Hour and Cost Tables

Exhibit 1 shows the bottom line respondent burden and costs associated with these amendments to the September 1999 final rule. EPA estimates that respondents will incur an annual burden of 1,294 hours and a cost of \$75,642 per year. This recordkeeping and reporting burden would be incremental to the burden approved under EPA ICR Request #1773.02 (and later modified by EPA ICR Requests #1773.03, #1773.05, and #1773.06).

Exhibit 2 presents the bottom line Agency burden and costs associated with these amendments. EPA estimates an Agency annual burden of 1,082 hours and a cost of \$29,383 per year.

6(f) Reasons for Change in Burden

This ICR shows the estimated incremental (from the September 1999 final rule and EPA ICR Requests #1773.02, #1773.03, #1773.05, and #1773.06) burden incurred by hazardous waste combustors as a result of these amendments. These changes include new or modified, and eliminated in some cases, reporting and recordkeeping requirements.

6(g) Burden Statement

The average respondent reporting and recordkeeping burden under this ICR is estimated to be 7.6 hours/year per facility. Each burden component is estimated to be as follows:

- The average respondent reporting burden under this ICR is estimated to be about 7.5 hours per year per facility.
- The average respondent recordkeeping burden is estimated to be about 0.1 hours per year per facility.

Burden means that total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise inclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing the respondent burden, including through the use of automated collection techniques, to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave, N.W., Washington, DC, 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.